

## REMARKS

Claims 1-38 and 43-50 have been previously canceled and claims 39-42, 51-54, and 60 were pending in this application. Claims 39-42, 51-54, and 60 have been amended and are now pending in this application.

### Pending claims 39-42, 51-54, and 60

Applicant has carefully reviewed and considered the Office Action of March 18, 2004. In the Office Action, claims 40-42 are objected for having portions of dependent claims iterated in their independent claims, claims 39-42 are rejected under 35 U.S.C. §112 as being indefinite, and claims 39-42, 51-54, and 60 are rejected under 35 U.S.C. §101. Claims 39-42 have been amended according to the Examiner's suggestions to remove the repeated elements and indefiniteness. Applicant traverses the rejection of claims 39-42, 51-54, and 60 under 35 U.S.C. §101.

Nonetheless, in an effort to move forward the prosecution of the present application, Applicant has amended claims 39, 51, and 60 to include an element of awarding a payout as suggested by the Examiner.

### Allowable claims 39-42, 51-54, and 60

The Examiner indicated that claims 39-42, 51-54, and 60 would be allowable if rewritten to exclude the rejections stated in the Office Action. As stated above, claims 39, 51, and 60 have been so rewritten to include the element of awarding a payout as suggested by the Examiner. Therefore, Applicant submits that claims 39, 51, and 60, as amended, are allowable and claims 40-42 and claims 52-54 are no longer dependent on rejected based claims and are also allowable and a notification to that effect is respectfully solicited.

In making this amendment to the claims, the Applicant does not intend to limit the scope of equivalents available to the elements of the claims. Specifically, the Applicant does not intend to restrict the element of awarding a payout and asserts that such element encompasses any currently foreseeable and any potential after-developed technology for awarding a payout to a game or lottery winner.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 39-42, 51-54, and 60 are in condition for allowance and notification to that effect is earnestly solicited. If necessary, the Examiner is invited to telephone Applicant's attorney (404-873-8734) to facilitate prosecution of this application.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 520666.

Respectfully submitted,

Michael L. White

By His Representatives,



Lance D. Reich  
Reg. No. 42,097

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Arnall Golden Gregory LLP  
1201 West Peachtree Street, Suite 2800  
Atlanta, GA 30309-3450  
Telephone (404) 873-8500  
Facsimile (404) 873-8501

CERTIFICATE UNDER 37 CFR 1.8:

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Non-Fee Amendment, P. O. Box 1450, Commissioner of Patents, Alexandria, VA 22313-1450, on this 9th day of April, 2004.

